

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ALPER KOLCU,
Plaintiff,

v.

Case No. 22-cv-1552

SHERIFF DENITA R. BALL,
Defendant.

DECISION AND ORDER

On September 6, 2023, I screened pro se plaintiff Alper Kolcu's complaint, finding that it failed to state a claim against the named defendants. ECF No. 6. I found that the complaint alleged facts that may state a claim against the John Doe defendants and added Milwaukee County Sheriff Denita R. Ball as a defendant for the limited purpose of helping the plaintiff identify their names. *Id.* at 7. I ordered plaintiff to "identify the names of the John Doe defendants within sixty days of Sheriff Ball's attorney appearing," or explain to the court why he is unable to do so. *Id.* at 8. On October 31, 2023, counsel for Sheriff Ball entered a notice of appearance. ECF No. 8. On January 11, 2024, I dismissed this action without prejudice for lack of diligence because plaintiff failed to identify the names of the John Doe defendants or ask for an extension to do so by the initial deadline. ECF No. 10.

Plaintiff has filed a motion for reconsideration in which he requests that I reopen the case. ECF No. 12. Plaintiff argues that he never received the notice of appearance filed by counsel for Sheriff Ball. ECF No. 13, ¶ 15. Plaintiff requests I reopen this case and grant him additional time to serve discovery on Sheriff Ball. I will give plaintiff another opportunity to identify the names of the John Doe defendants.

IT IS THEREFORE ORDERED that plaintiff's motion for reconsideration, ECF No. 12, is **GRANTED**. Plaintiff must identify the names of the John Doe defendants by **February 23, 2024**. If plaintiff identifies the names of the John Doe defendants by the deadline, I will order service pursuant to Fed. R. Civ. P. 4(c)(3). If plaintiff does not identify the defendants' names by the deadline or advise the court why he is unable to do so, I will dismiss this case for failure to diligently prosecute.

Dated at Milwaukee, Wisconsin this 23rd day of January, 2024.

/s/ Lynn Adelman
LYNN ADELMAN
District Judge